

Open Records Request Response

"Joseph Roy" [jroy@wauwatosa.net]

Sent: 1/7/2021 5:24 PM

To: ""tony.aria@tmj4.com"" <tony.aria@tmj4.com>, ""blodestone@gmail.com"" <blodestone@gmail.com>, ""Lezlie.Johnson@tmj4.com"" <Lezlie.Johnson@tmj4.com>, ""colleenmariehenry@hotmail.com"" <colleenmariehenry@hotmail.com>, ""hmintz@wisn.com"" <hmintz@wisn.com>, ""eschneider@nexusushelps.com"" <eschneider@nexusushelps.com>, ""peteasparks@gmail.com"" <peteasparks@gmail.com>, ""isiah@wisconsinexaminer.com"" <isiah@wisconsinexaminer.com>, ""bryan.polcyn@FOX.com"" <bryan.polcyn@FOX.com>, ""mcollins@aclu-wi.org"" <mcollins@aclu-wi.org>, ""swaleslaw@gmail.com"" <swaleslaw@gmail.com>, ""mthomsen@gtwlawyers.com"" <mthomsen@gtwlawyers.com>, ""isiah@wisconsinexaminer.com"" <isiah@wisconsinexaminer.com>, ""isiah@wisconsinexaminer.com"" <isiah@wisconsinexaminer.com>, ""dmorganadams@gmail.com"" <dmorganadams@gmail.com>, ""dmorganadams@gmail.com"" <dmorganadams@gmail.com>, ""bgutenschwager@gmail.com"" <bgutenschwager@gmail.com>, ""kmotley@motleylegal.com"" <kmotley@motleylegal.com>, ""jfg@hallingcayo.com"" <jfg@hallingcayo.com>

To Whom This May Concern:

Please accept this letter in response to your records request made pursuant to the provisions of the Wisconsin Public Records Law, Wis. Stat. §§19.31-39. The public policy in Wisconsin is to provide the public the greatest amount of access possible to public records. Wis. Stat. § 19.31. The general presumption is that public records are open to the public unless there is a clear statutory or common law exception. If there is no statutory or common law exception, the custodian must "decide whether the strong presumption favoring access and disclosure is overcome by some even stronger public policy favoring limited access or nondisclosure." *Hempel v. City of Baraboo*, 2005 WI 120, 284 Wis.2d 162, 699 N.W.2d 551. This decision is also commonly referred to as the "balancing test," under Wis. Stat. §19.35(1)(a). Notwithstanding the presumption of openness, the public's right to access public records is not absolute. *Journal/Sentinel v. Agerup*, 145 Wis.2d 818, 429 N.W.2d 772 (Ct. App. 1988).

The Dropbox link at the bottom of this email contains all of the Wauwatosa Police Department police reports, citations, as well as our squad and body camera video, responsive to your request. Further, it contains the video and reports produced by agencies that assisted us during the emergency declaration period in October of 2020, that are in our possession as of today's date. These documents and videos are responsive to many of your requests as well. Additional, more specific items may be requested via the open records process by notifying the Wauwatosa Police Department Records Division at trecords@wauwatosa.net. If, after reviewing the documents and videos, you feel that some portion of your request is still open, please notify us.

The documents and videos are being provided to you unredacted. Please download the documents and videos at your earliest convenience.

<https://www.dropbox.com/sh/b77735k6up2txrd/AAA4rkeQeuJxdOpZVHZomLika?dl=0>

If you have any questions, please feel free to contact us.

Respectfully,

Lieutenant Joseph E. Roy

Administrative Division
Wauwatosa Police Department
1700 N. 116th Street
Wauwatosa, WI 53226

Office: 414-471-8430

Cell: 414-429-4627

Fax: 414-471-8447

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